FAIR WILL BE OPEN

Federal Judges Dissolve the In-

JUSTICE FULLER'S DECISION

on Did Not Mare a Logal Log to Stand On.

escase, June 17.—Chief Justice wills W. Fuller a few minutes after circh this morning handed down unanimous finding of the fuleral tof appeals in what is now population as the Sunday closing case, chief justice himself had written decision in lead pencil on a dezen the of scratch paper," and as he read a clear voice and with well chosen has a crear word penetrated to the otant corners of the room, and was notly heard and understood by every in the biggest assemblage that every in the biggest assemblage that ever crowded a court room in Cook county. In brief, the desision overrules the contention of the government counsel that the case should have gone directly to the supreme court of the United States and should be dismissed for lack of jurisdiction in the court of appeals. The bill of the United States is dismissed for want of equity. All the conclusions and findings of Judges Woods and Jenkins in the district court are reversed while the dissenting opinion of Judge Gresscup is sustained in every vital particular.

to full test of the decision was as we: Deceming it desirable that this ter should be disposed of at once, half announce the result arrived at, pooling for want of time the elaboraof the laws of the United States are concerned. We are of opinion that the order we are called upon to rewiew involved or drew into question neither the one nor the other in the sense that the action of the circuit court was invoked. The disposal of the proceedings or the disposition of the contention rests upon the grannel as to whether the decision had any reference to the construction or application of the constitution or the validity of acts of congress in respect of that instance; and the conclusions upon which the order was based were invoked by considerations of that character. The jurisdiction of this court to review the order cannot be defeated at the instance of the appelless because the constitutionality of the matter upon which they rely may have been challenged. The motion to dismiss is overruled.

The question to be determined is

lenged. The motion to diamies is overruled.

The question to be determined is
whether upon this recard a preliminary
injunction should have been granted.
The bill avers that the defendants are
usurping powers involving authority over
the exposition and the grounds, and in
virtue thereof assumes to open the exposition on Sunday in contravention of
the acts of congress—notwithstanding
such opening would be of "great injury
and a grievous prejudice to the common
public good and to the welfage of the
people of the United States. It is not
contented that any property interest of
the complainant will be injured by the
threatened action, nor is there any allegation of irreparable injury or probable
loss by such action. But it is said that
the intervention of the court may be
rested upon the protection of the United
States in the possession of the grounds
of the exposition for the purpose of protecting the United States in its posses
sion. The furnishing of the five million
senvenir roins was a condition upon the
local corporation by the United States,
in allotion to the many millions it had
already contributed, the further sum of
\$2.20,000 and the giving to the government of a satisfactory guaranty that
it would provide all additional some
necessary for the complete construction
of the sork prior to May 1, 1866, and
was subject to two conditions sities
quent, namely, the payment by the corperation of all expenses, costs and
charges of the great department of the
exposition and the closing of the exposition on Sunday.

In view of the rest previous expendi-

charges of the great department of the exposition and the closing of the exposition and the cappaint on Succiny.

In view of the vast provious expenditure of the configurations assumed, the right of all parties concerned, and the nature of these consistence and the conditions subsequent, we do not think this a proper case for the rule in question, nor can we consurt in the proposition that the appropriation of the \$2.500,000 amounted to a charitable trust upon certain conditions warranted. The appropriation was made for the purpose of aiding in defraying the cost of the completion of the work and to be paid over in roachers for labor done, material furnished and services performed in the properation of the work and to be paid over in roachers for labor done, material furnished and services performed in the proposition of the work. It was an appropriation of the work and as such done not come under the accepted definition of a characher the benefit of the local corporation to the appropriation. So far as the purpose had the appropriation subsequently made is concerned, that purpose had to be accomplished before the money could be paid over.

The decision of the court might interpose to product the United States in its proposition for the state and of the configuration of the north park resummentation. The page means of the state and of the configuration of the north park resummentation.

ground.

We cannot now discuss the various questions necessary to be considered, but which will be treated of in the opinion to be filed. It is sufficient to say that we cannot except this case from the ordinary rule, which requires to the exercise of jurisdiction in chancery some injury to property, whether actual or prospective, some invasion of property or civil rights, some injury irreparable in its nature, and which cannot be redressed at law. This is not such a case and the result is we hereby refuse the order and the case is remanded for further proceedings not inconsistent with these conclusions.

On the walk inside the fence the Massachusetts flag floated from a high staff in honor of the day and the governor's presence. Promptly at 11 o'clock Governor Russell, Mrs. Russell, Gen. Francis A. Walker, representing the state committee; Mrs. Palmer and Miss Dawes, from the woman's committee of Massachusetts, took their places in the parker. They were surrounded by the members of the governor's staff in the uniform of their rank. From 11 to 2 members of the governors stall in the uniform of their rank. From 11 to 2 o clock, except during an intermission of fifteen minutes for refreshments, a continuous line of people mased by the governor, who extended his hand to all. Mrs. Russell was compelled to seek intervals of rest for her arm, as she is afflicted with rheumatism and only bowed to those who were presented at that time. Those who watched the reception throughout agreed that at least 5,000 persons shook the governor's hand and 5,000 more passed through the building without doing so. Lunch was served to the 4,000 invited guests in the Dutch parlor of the house. Immediately after the reception the governor and his staff left the building for the city. At night the Bunker Hill celebration was concluded with a \$2,500 display of fireworks in the park. The aerial pieces were set off on the casino pier. The night was fine and there was an immense crowd.

Four Men Are Struggling for the Lead in the Cowboy Race.

O'Netta, Neb., June 17.—The advance guard of the cowboy race arrived in O'Neill at 10 o'clock this morning. The party consisted of H. B. Oliniten of Chadron, press representative; Harrey Weir of Chadron, owner of one of the horses; Mike Elmore of Hemingford, who has two horses in the race, ridden by Dave Deuglass; H. H. Morton of Deadwood; Jack Hale, right of way agent of the Fremont, Elkhorn & Missouri Valley railroad, who has two horses in the race; G. C. Bolam, W. W. Tatro and Paul Fontaine, both of Minneapalis, representing humane societies. Mr. Fontaine says that he is satisfied so far.

far.

James H. Stephens, riding General Grant and Nick; Dock Middleton, Geronimo and Jamero; Joe Gillespie, riding Billy Mack and Billy Shafer, were at Atkinson at 9 a.m. today. Emmet Albright, riding Outlaw and Joe Bush, was ten miles west of Atkinson at 9 a.m. C. W. Smith, riding Dynamite and Redwing, was about four hours behind the leaders when they registered at Long Pine last night. Dave Douglass, riding Monte Cristo and Wideawake; Joe Campbell, John Berry and George W. Jones, reported last in the sand hills, registered at Long Pine this morning.

Daughters Entertain Sons.

Criticato, June 17.—The Chicago chapter of the Daughters of the Revolution entertained the Sons of the American Revolution, the national society and all visiting chapters of the Daughters of Revolution this afternoon at 2 o cicck in the assembly hall of the woman's building at the world's fair. About 800 guests were present. The affair was one of the most enjoyable of the season, and a delightful reunion of friends from far and near.

Circone, June 17. Paid administers at the fair teday were 144,008; total at tendance, 170,000.

Prov. Ind., June 17. The Citizens' bank of Converse, this county, assigned today, and Rosens Kimple, an attorney of that place, was appointed receiver. The ussets are figured at \$55,000, and the Habilities \$20,000.

Descrip, Terms, June 17. Three of the Starr gang of outlaws have been explored in the Creek patien, by a pesse, while moving one of their wounded congrides.

HE IS THINKING NOV

William and Capital Figure on

AFRAID OF THE SOCIALISTS

almost ceased coming in, although re-ports from thirty districts are still lack-ing. At 12 o'clock the army bill parties and groups had 85 auto; the opposition parties S5. All depends upon the second ballots. Bushin, June 18.-The returns have

ballots.

BERLIN, June 17.—The defeat of the Richterists in Thursday's election appears to be irretrievable. Their organs admit the crushing character of the disaster, but the Berlin Freinsinnings organ finds comfort in contemplating that the ultimate poll of the party, combined with the Volks partee, centrists and socialists will form an overwhelming plebisite against the army bill and the Huene compromiss. It is certain that if the plebiscite were to decide the fate of the government the enormous accialif the plebiscite were to decide the fate of the government the enormous social-ist vote already cast would determine that. But the army shill will depend largely upon party combinations, re-garding which it is still haufrious to attempt to form any definite conclu-

What our's to concern the government quite as much as the increase of the socialists in parliament is the development of socialism throughout the country.

Chancellor Von Caprivi held conferences with the emperor on Thursday and again last night, reporting to his majesty the character of the returns. It is rather significant that the semi-official organs today offer suggestions as to how to curb the popular vots.

Regarding the centrists, the recent schisms do not appear to seriously affect their strength. The party may lose fifteen seals and still remain the mest solid party in the house. If after

Sinking of a Fowns.

Socialist leaders purposed issuing directions giving minute instructions as to how the members of the party should vote oh the reballot, but decided today that moral principals alone should guide them in their actions. The socialists in Vienna will make a demonstation in celebration of the success of their German brethren.

The Austrian official papers hold that the results of the election are alarming. The Duetsche Zeitung says: "Germany can only be saved by a strong hand. It is time that Caprivi should show that the future of Gesmany is safe in his care."

the future of Gessoany is safe in his care."

A portion of Schneidomuch a manufacturing town of Prussia, is sinking in consequence of the boring of an artesian well. The inhabitants of the district in danger, which covers several squares, will be compelled to leave their homes. Government engineers have gone to the scene to try to prevent the ruin of the town.

town.

Dr. Von Rottenburg and his wife, daughter of the Hon. William Walter Phelps, ex-minister to Germany, have returned to Berlin. They have taken a residence on the new Wilhelm strasse.

GOLD COMES TO US.

Enrope Is About to Beturn Our Big Shipments of Gold: Loxnes, June 17.—The indications are Lowress, June 17.—The indications are that, so far as this country is concerned, the drain of gold from the United States is subsiding. On the stock exchange today it was generally understood that shipments of gold to the United States will be made next week, though no engagements have been authoritatively announced. The shipments will mark the turn in the tide, and though they may not be large the fact cannot but be satisfactory to Americans.

Many Persons Drowned.

Ciry or Mexico, June 17. The town of Utgermatian has been visited by a territin waterspoot, which resulted in loss of life and great damage. The waterspoot burst unexpectedly at midnight. In a few minutes the fixed had covered the entire town, the water rising to the height of four feet inside the house. The people were panic stricken, and in attempting to escape from the fixed many men. Some and children were drowned. A great many families were made homeloss such the city conneil of the place has laured an appeal asking other towns to come to their relief.

Earthquakes in Greece.

Arness, Jone Id. A repetition of curticquakes is reported from various parts of Greece. Serious damage was done at Thebies, where houses are in rules, and the inhabitants are caseping out in tents.

His Supposed Victim in Prison Galvestes, Tetusi June 17.-trangest case on record in the his f criminal law in Tetus has just of

Meggs was consequed at Anderson, tirines creantly, of the murder of Mike Ferry on purely circumstantial evidence and sentenced to a life term in the state penitentiary, being sent to Huntsville. Two or three months after his arrival there Mike Ferry, the man he was supposed to have murdered, bobbed up in western Texas, where he was arrested for committing a felony, tried and convicted and sentenced to a short term in the same prison where his supposed murderer was incarcerated. The men recognized each other immediately, but Ferry, being legally dead, cannot testify in behalf of Meggs, and the latter being a convict, cannot testify in his own behalf. The matter has been brought to the attention of a firm of Galveston lawyers, one of whom is Congressman Gresham, and they will summon six citizens of Hempstead, where Ferry is well known, to proceed to the penitentiary to identify him. This being done steps will be taken to secure a pardon for him from Governor Hogg in order that he may testify in behalf of Meggs, and thus secure his release. Lawyers who have been looking up authorities in the case say there is no such instance on record.

POISONED BY ICE CREAM.

Patal Work.

Denvez, July 17.—About twenty persons were poisoned by eating ice cream during a banquet at the dedicatory services at St. Francis' hospital tonight, and some of them are in a serious condition. Among the victima are most of the catholic priests of the city and several of the sisters at the hospital, as well as a number of other prominent catholics. Fr. O'Ryan is at St. Joseph's hospital in a serious condition. It is not thought any of the cases will prove fatal. How the paison got into the cream or what its nature was has not been ascertained, though it probably came from the cana.

Nashville, Tena., June 18.—The directors of the Nashville cotton mills yesterday decided to reduce the wages of their hands, numbering between 450 and 500. When this decision was announced today all the employes, but a few, walked out and declined to work. The company's officials claim that they cannot pay the present wages owing to dull times, while the operatives say they had rather remain idle than to work for less.

Fined One Cent and One Day.

La Farerre, Ind., June 17. This afternoon Judge Langdon sentenced Hugh Elan to pay a fine of one cent and to one day's imprisonment in the county jail on a plea of guilty to riot. Gabriel Gillespie was fined 80 and costs on a plea of guilty to disturbing the Rudolph's meeting last January. The court said he made these light sentences for the reason that both prisoners had been in jail for four months.

ALLANY, N. Y., June 17. The failure of Charles F. Straight, who has carried on a successful business as a hardware merchant in this city for a long time, was announced today. The assets are \$200,000 and the liabilities are \$200,000. The proferred preditors are the em-

tions at Thebles, where houses are in this, and the inhabitants are causing out in tents.

Deart Was His Heste.

Creams, Out, June 17. Thomas E. Improve of Ashten was be have been in the complexion of Ashten was be have been incarried posteriar, and a new house on licans.

RUSSIA TO THE FORE

Her Exhibits Were Dedicated b the Greek Church

WITH POMP AND CEREMON

Caucago, June 17.—Robed in the Chicago, June 17.—Robed in guiden venturents of their encret of Bishop Nichelas of the Greek chur Alaska and other priests of the orti-church in Russia dedicated the o-of that empire in the manufact building today. The service beg-the Asiatic room which was trans-for the time into a mactuary of

time, and is to be dedicated on June 26. Governor Smith and party are expected to arrive next Tuesday, and will spend the interim at the fair in sight-seeing. Owing to the unsatisfactory rendition of Bach's "St. Matthews Passion" music by the Apollo club yesterday, the repitition of the recital on June 26 has been withdrawn. In its stead Rossin's "Stabat Mateur" and Mendelsohn's "Hymn of Praise" will be given.

Parade of Nations.

The denisions of the Midway plaisance joined in a grand parade through the grounds this afternoon. It was nearly 3 o'clock when the novel procession came into the main grounds, and after making short circuit around the buildings in the northern part of the park returned to the Plaisance. The strange sight of these people and animals from all parts of the earth was witnessed by thousands of people who thronged the line of march.

A meeting of the board of directors of the Columbia Associated Travellers was held this afternoon. Letters were read from Mr. Delehaye, secretary general of the Commercial Travellers of France; James Davies, secretary of the Commercial Travellers of France; James Davies, secretary of the Commercial Travellers association of Victoria and Melbourne, Australia, and Affred H. Whitehouse, a commercial traveler of New Zealand: The president reported having invited President Cleveland to attend the celebration during the week of July 24 to 29. President Higinbotham has promised that the grounds shall be illuminated and open during the evening on Commercial Travellers' day, July 21. The parade will consist of 50,000 commercial travellers.

CHEERIS FOR THE VIKING.

CHEERS FOR THE VIKING. The Gallant Craft Is Warmly Wel-

The Gallant Craft Is Warmly Welconsed at New York.

New York, June 17.—Those hardy Norsemen, Captain Anderson and his crew, after journeying down the coast from New Foundland, sailed into the port of New York with the counterpart of the viking ship of old and were given a reception far different from that their ancestors received 400 years before Columbus landed on the shores of the new world. The viking came down the sound from New London, Connecticut. Off Sand's Point she was met by the steamboat Laura M. Starin with the committee of reception from this city on board. There was a great blowing of whisties and dipping of flags, and the band played "The Viking March," composed for the occasion by Harry Kandall. Captain Anderson stood in the stern of his queer looking craft and took off his cap repeatedly to the saintes of the many steam yachts and tugs which met him. It was 1:45 when the Viking passed Uncle Sam's crack monitor the Mismionomah. When the boom of her big guns giving the sainte ceased, there was a pull of blue smoke forward on the Viking. The Norseman was an exercing the salute with a salute from six little cannons that were mounted on a cross rail at the bow. When the Viking had found an anchorage Captain Secard of the Miantonomah and Health Officer Jonkina boarded her and the cross were taken on tward the Starin, whese they were welcomed to America by the committee.

Thousands of people on the shores cheered the Viking as she came to the city and reached her anchorage at Twenty third street. The police boat Patrol, the tog John Fuller with the naval reserve, the Maintonomah, the tag Narkuta towing the Viking, the Starin with New York and Irrasitre New entremed to the committee. The police boat Patrol, the tog John Fuller with the naval reserve, the Maintonomah and Heritin with New York and Irrasitre New entremed to the committee. The police boat Patrol, the tog John Fuller with the naval reserve, the Maintonomah the Starin with New York and Irrasitre Merrisionia.

FOR URGING SUICIDE.

- DEED OF A COWBOY,

Robe a Bank. Murders a Jeweler's Clerk and is Pinally Killed.

Rolla, N. D., June 17.—Dunsheith, in the western part of Rojetta county, was the scene yesterday of one of the most startling crimes ever-committed in North Dakota. An unknown cowboy entered the Turtle Mountain bank, held up Cashier Tucker and robbed the bank of \$1,000. Keeping Tucker under cover of a revolver he got cut of the bank and rode up into the mountains. He returned soon after, went to the store of Jacob Kotchevar and asked a clerk, James McRae, for a watch. McRae turned to get the watch and was shot in the back and is not expected to live. By this time a number of men gathered to capture the villian. Mayor Mcrae shot the fellow's horse and he was then run down and killed by the determined citizens. Coroner Cowan and Sheriff McLean were summoned this morning to hold an inquest. Great excitement prevails.

OCEAN STEAMERS RACING.

The New Greyhounds Sailing for a New Record.

New York, June 17.—Incoming steamers during the past week have been mailing unusually quick trips from European ports and have been running very close to the records. This fact has lead steamship agents to expect something interesting from record holders, the Campania, the Fuerst Bismarck and the Paris. All three are now on their way to this port. The Fuerst Bismarck left Southampton at 7:30 last evening. The Paris left there at noon today. The Campania left Liverpool at the same time, but will stop at Queens ton tomorrow. This is is the third voyage of the Campania, and it is expected that she will chip a couple of hours off from the recorded time from that point.

from the recorded time from that point.

Lead Ore Discovered in Missouri.

Poross, Mo., June 17.—Last April a cyclone passed through the northwestern portion of Washington county, leveling the largest forest trees, scattering houses and laying waste everything in its path for several miles. A few days later Joseph Boeff and Mr. Rutledge were walking through the track of the storm. At the base of a large tree which had been uproofed they discovered a large deposit of rich lead ore projecting from the ground. They claim that as much as 10,000 or 12,000 pounds of ore of the very best quality of galena or bloe sulphurate of lead can be taken off daily by two men, which has paid them during the last week over \$100 a day each.

Manufactor, June 17. There has been a great deal of conjecture regarding the permanent location of the papel delegation in Washington. It is now authoritively amasoneed that the archibishops of the church in the United States have taken the matter in hand and a suitable dwelling for the papel legate will be erected. At the needing of the archiestope in Chicago the detain will be decided. Bishop Ryun of Buffulo is transverse of the fund to build the papel legation residence and the curing he has sent out in proving satisfactority successful.

ED OFF HIS MEAD.

TELESCOPED A SLEEPER.

Two Prenous Finisity, and Two More Seriopoly Sajured in a Wreath.

Wickers, Kan., June 17.—Near Winfield this evening a Santa Fe freight run into the rear crach of a Missouri Pacific east-bound passenger train at a crossing and overturned the Pullman alcoper chair car seriously injuring three passengers. V. D. Snyder of Butler, Missouri, and the porter, George Ellia, of Kansan City, are said to be fatally hurt. Core Reheut of Pittsburg and Walter Martin of Winfield were budly hurt and several other passengers were slightly injured.

MOSHER PLRADS OULLTY

To Twelve Counts and Her Guilty to Twenty More.

ORANA, June 11.—C. W. Moulter, or president of the Capital National bank at Lincoln, was arraigned in the federal this morning and by agreement with the United States atterney, pleaded guilty to twelve and not guilty to twenty of the thirty two counts of the indictment. The twelve counts to which the plea of guilty was made charge Monter with falsifying the records and busin of the bank. Sentence was deferred. The maximum penalty is ten years in the penitontiary and the minimum five years.

Prent Processed John.
Prentnesseron, Ohio, June 13.—Poul jokers filled out an intercary warrant with the names of John Hammon and his wife, a rich young couple, and must the pour house wagon after them. Mrs. Hammon fied into the cemetery and protested that the was dued. She has been taken violently III and will die.

Mitted by a Train. Convergerezan, Ind., June 17.— William Hipper, a wealthy farmer, and his 15 year-old daughter, Rean, were tailed by a countraction pain on the Vandalle read, near Deprille, this more-